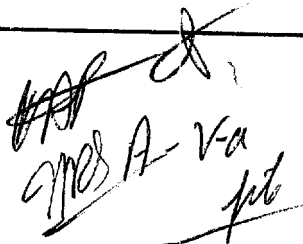


Approved For Release 2008/12/15 : CIA-RDP82B00502R000900040024-3

<b>TRANSMITTAL SLIP</b>		<small>DATE</small> 30 July 1979
<b>TO:</b> C/Congressional Support		
<b>ROOM NO.</b>	<b>BUILDING</b>	
<b>REMARKS:</b>  <div style="text-align: center;"> Returned for your files. Orig cy of memo with files went to OS <span style="border: 1px solid black; display: inline-block; width: 100px; height: 1.2em; vertical-align: middle;"></span>  STAT</div>		
<b>FROM:</b> O/DD/NFAC		
<b>ROOM NO.</b>	<b>BUILDING</b>	<b>EXTENSION</b>

FORM NO. 044 REPLACES FORM 30-0

Approved For Release 2008/12/15 : CIA-RDP82B00502R000900040024-3

FBI Review  
Completed

DOJ Review  
Completed.

UNCLASSIFIED

27 July 1979

MEMORANDUM FOR:  STAT  
OS/SAG  
VIA : A/DD/NFAC *EE*  
FROM : Chief, Congressional Support Staff  
SUBJECT : NFAC Comments on Jack Anderson  
Columns

1. Each of the files contains a sheet addressing the three relevant questions:

- Was the article quoted from properly classified at the time we published it, and why was it so classified?
- Would we regard the article as still classified at the time portions of it appeared in Jack Anderson's column?
- Can the article or any portion thereof be declassified in connection with a criminal prosecution?

2. In answering the questions, we considered the entire classified article--not just the portion quoted by Jack Anderson. On the other hand, we did not take into account other articles in the same publication.

FBI Review Completed

DOJ Review  
Completed.

STAT

UNCLASSIFIED

Bruce,

This package is to be returned to [redacted] 25X1  
my covering note via you should serve the purpose.

For your information, [redacted] dropped the files 25X1  
off with John Hicks a couple of weeks ago. He sent them  
to us for action under the attached blue note. I have 25X1  
since discussed the subject with [redacted] who said  
we did not have to answer all the questions in the letter 25X1  
from Justice, only the three described in [redacted]  
letter of 8 June. (This is the procedure we followed  
with similar damage assessments of earlier Jack Anderson  
columns.)

Also, (and contrary to John Hicks' note) [redacted] 25X1  
has asked us to answer the three questions on the basis of  
the whole classified article believed to be in Jack  
Anderson's possession--not just the quotes marked in  
colored pen.

A variety of analysts from OER, OSR, and OPA contri-  
buted to the formulation of the comments, but I boiled 25X1  
down the responses to fit the pattern [redacted] needs.  
We are maintaining a record file on this whole mess.

For the record, Justice still seems to be most re-  
luctant to pursue criminal prosecution of Jack Anderson.  
The DCI's letter to the Attorney General recommending  
civil action to regain the NIDs and other documents in  
Jack Anderson's possession, however, has gotten a more  
favorable response.

[redacted] 25X1

Chief, Congressional Support Staff

25X1

MEMORANDUM FOR:

STAT

- In Chuck's absence  
would you please start the  
work necessary to respond  
to the attached request from  
Justice.

- We should comment only on those  
words which have been marked  
by colored pen in the attached  
folders.

- The OS officer we respond thru  
is

Dat

STAT

STAT

2 Jul 79

Department of Justice  
Washington 20530

JUN 21 1979

TOP SECRET

Daniel Silver, Esquire  
General Counsel  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Mr. Silver:

Reference is made to the June 20, 1979 memorandum from Robert W. Gambino, Director of Security, CIA, to the Director, FBI, captioned "Transmittal of Classified Documents for Investigative Use." Mr. Gambino's memorandum transmitted copies of classified documents identified as having been used by columnist Jack Anderson as source material for recent articles, and copies of documents which have been identified by Anderson staff reporters as being in his possession. (TS)

To date, eight classified documents originated by the CIA have been identified as the source documents for the Anderson articles published on [REDACTED]

[REDACTED] Your Agency is continuing efforts to identify classified documents originated by the CIA which relate to articles published by Jack Anderson on [REDACTED]

As you know, on June 18, 1979, [REDACTED] reported to the FBI information concerning a luncheon meeting that day between himself and Dale Van Atta, an employee of Anderson. [REDACTED] advised that Van Atta passed to him certain documents, which he reviewed and returned to Van Atta, and which he described as follows:

This document consists of 3 pages;  
copy 1 of 4 copies.

TOP SECRET

3a

REFERENCE

25X1

25X1  
25X1

25X1

25X1

25X1

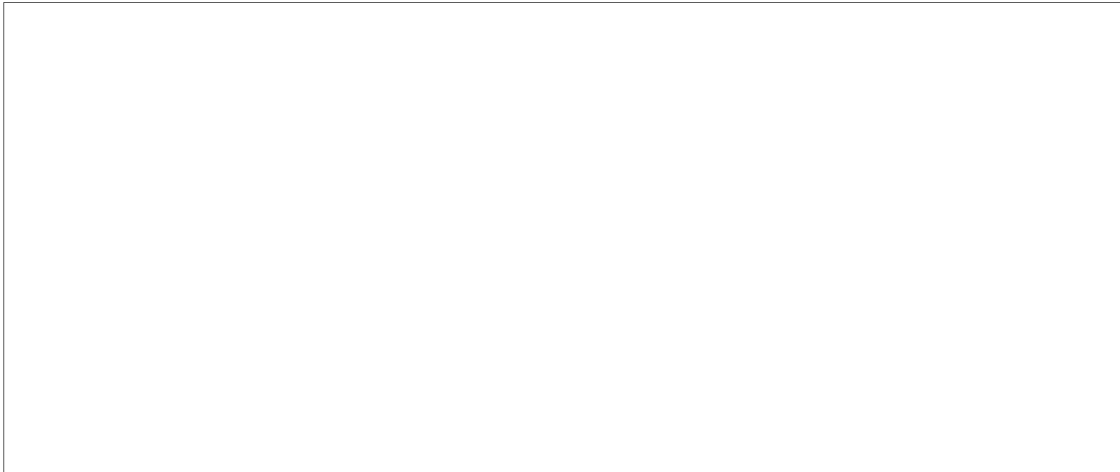
25X1

25X1

25X1

TOP SECRET

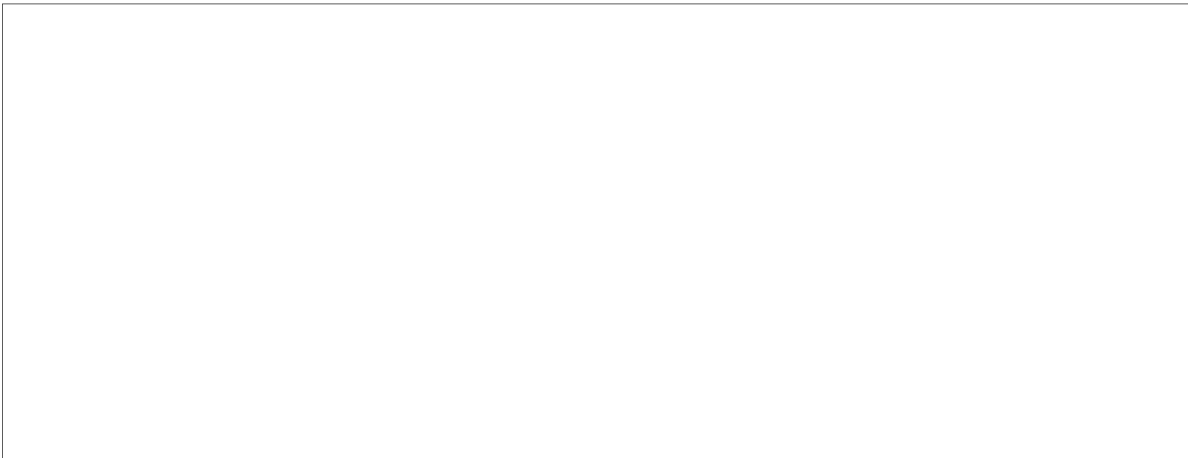
-2-



25X1

[redacted] also reported that during a conversation in a park following their luncheon meeting, Van Atta showed him the following documents:

25X1



25X1

With regard to the six articles already identified as containing information from classified CIA documents, it is requested that we be provided the following information:

1. Specific statements which are classified and whether the data was properly classified.
2. Whether the classified data disclosed is accurate.

TOP SECRET

TOP SECRET

-3-

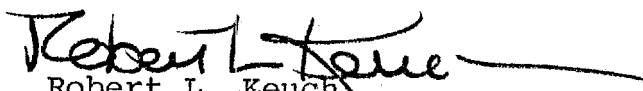
3. The extent of official dissemination of the data.
4. Whether the data has been the subject of prior official releases.
5. Whether prior clearance for publication or release of the information was sought from proper authorities.
6. Whether the material or portions thereof or enough background data has been published officially or in the press to make an educated speculation on the matter possible.
7. Whether the data can be declassified for the purpose of prosecution and, if so, the name of the person competent to testify concerning the classification.
8. Whether declassification had been decided upon prior to the publication or release of the data.
9. What effect the disclosure of the classified data could have on the national defense. (U)

If additional classified CIA documents are identified as the source documents for the Anderson articles published on [ ] or any later articles, the same information should be provided. (TS)

With regard to the documents reported to have been shown to [ ] by Van Atta on June 18, the same information should be provided concerning any of the documents that can be identified as having been originated by the CIA. (TS)

→ [ In view of the importance of this matter, we would appreciate receiving your response as quickly as possible. (U)

Very truly yours,

  
Robert L. Keuch  
Deputy Assistant  
Attorney General

cc: FBI

TOP SECRET

~~SECRET~~

OGC 79-05330

8 June 1979

MEMORANDUM FOR: Deputy Director, NFAC

25X1

FROM:

[REDACTED]  
Associate General Counsel

SUBJECT: Jack Anderson's Publication of Classified Material

1. The attached package is forwarded for review by NFAC to determine the classification of the various items which have been identified in the Anderson articles as having come from classified documents. There are three phases to the review. First we need to know whether each item was properly classified at the time it appeared in the classified Agency publication and the reason it was classified at that time.

[REDACTED]  
25X1

Therefore, a complete analysis of this information is required.

[REDACTED]  
25X1

2. The second phase of the analysis should focus on whether the information, if properly classified when first published, was still classified when published in Anderson's column. The third phase of the review, if the first two are affirmative, is whether any of the information which had previously been classified can be declassified for a criminal prosecution. It would be appreciated if this review could be handled expeditiously so that this Office may prepare an appropriate letter to the Department of Justice.

[REDACTED]  
25X1

Attachment

cc:

[REDACTED]  
w/o/att.

OS

25X1

[REDACTED]  
25X1

25X1

~~SECRET~~